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PATENT APPLICATION  
Q-87659

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Heinz FOCKE, et al.

Appln. No.: 10/533,240

Group Art Unit: NOT YET KNOWN

Confirmation No.: 7061

Examiner: NOT YET KNOWN

Filed: April 29, 2005

For: HINGE-LID PACKET FOR CIGARETTES

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO/SB/08 A & B (modified) and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

U.S. '842; DE 1017013 and DE 4429670 were previously cited in the German Search Report filed on April 29, 2005.

Applicant is submitting only copies of the IT '022 and GB '206 references. In accordance with 37 C.F.R. § 1.98(a)(2)(i), the undersigned is not submitting copies of the newly cited U.S. patents.

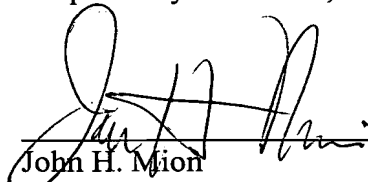
INFORMATION DISCLOSURE STATEMENT...  
U.S. APPLN. NO. 10/533,240

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

Applicant encloses a copy of an Opposition letter filed by TORTA Research S.r.l. in the EPO on September 13, 2005 (for Applicant's counterpart European patent application) and containing TORTA's explanation of relevance of IT '022, citing the listed documents.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

  
\_\_\_\_\_  
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WASHINGTON OFFICE

**23373**

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Date: November 28, 2005

Substitute for form 1449 A &amp; B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT***(use as many sheets as necessary)*

Sheet

1

of

1

*Complete if Known*

Application Number	10/533,240
Confirmation Number	7061
Filing Date	April 29, 2005
First Named Inventor	Heinz FOCKE et al
Art Unit	NOT YET KNOWN
Examiner Name	NOT YET KNOWN
Attorney Docket Number	Q-87659

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 5,833,060			
		US 4,753,383			
		US 2003/047471			
		US			
		US			
		US			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translatio n <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		IT	010000022		11-5-2001	G.D. S.p.A.	
		GB	819 206		9-2-1959	MOLINS MACHINE COMPANY LTD.	

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translatio n <sup>6</sup>

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant indicate here if English language Translation is attached.